

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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RANDY UMANZOR,

14 CV 9850 (VSB)

Plaintiff,

-against-

NOTICE OF MOTION

NEW YORK POLICE DEPARTMENT,

Defendant.

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PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum in Support of Motion for Partial Summary Judgment dated April 1, 2016, Plaintiff's Loc. Civ. R. Rule 56.1 Statement of Material Facts, the Declaration of Walker G. Harman, Jr. dated April 1, 2016, the Affidavit of Kristin Babinski, M.D. dated April 1, 2016, and the Affidavit of Randy Umanzor, dated March 30, 2016, counsel for the Plaintiff will move this Court, on a date and time to be set by the Court, before the Honorable Vernon S. Broderick, United States District Judge, at the United States District Court, Southern District of New York, 40 Foley Square, Room 415, New York, New York 10007, for an Order pursuant to Federal Rule of Civil Procedure 56 granting plaintiff partial summary judgment and entering judgment on the Complaint on the grounds that Defendant New York Police Department illegally disqualified Plaintiff from the NYPD's cadet program based on the false and discriminatory belief that his diagnosis of multiple sclerosis prevented him from performing the essential functions of the cadet position.

Dated: New York, New York
April 1, 2016

By: s/ Walker G. Harman, Jr.
Walker G. Harman, Jr. [WH-8044]
Edgar M. Rivera [ER-1378]
THE HARMAN FIRM, LLP
220 Fifth Avenue, Suite 900
New York, New York 10001
(212) 425-2600
wharman@theharmanfirm.com
erivera@theharmanfirm.com

Attorneys for Plaintiff